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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,676	12/02/2000	Robert C. Meier	38473R1	6401

7590 06/10/2004

Jack Sherman, Legal Department
Intermec Technologies Corporation
550 2nd Street. S.E.
Cedar Rapids, IA 52401

EXAMINER

BOAKYE, ALEXANDER O

ART UNIT	PAPER NUMBER
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2667

DATE MAILED: 06/10/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/729,676

Applicant(s)

MEIER, ROBERT C.

Examiner

ALEXANDER BOAKYE

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-21 is/are allowed.
- 6) ☒ Claim(s) 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6,7.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 2 is rejected under 35 U.S.C. 102(e) as being anticipated by Xu et al. (US Patent # 6,738,362).

Regarding claim 2, Xu discloses a communication network system capable of providing communication via an internetwork, the communication network system (Fig. 2) comprising (a) a home network (see 26, Fig. 2) having a mobile virtual private network tunneling protocol server (column 7, lines 3-9; see 30, Fig. 2) which provides for tunneling service via an interwork (the claimed internetwork corresponds to IP network , 20, Fig. 2) ; (b) a mobile wireless system(column 9, lines 12-15; see 10 of Figs. 2 and 4) for communicating via a wireless link, and having a mobile virtual private network tunneling protocol client which provides for a tunneling service via an internetwork (column 5, lines 60-63); and (c) a mobile virtual private network tunneling protocol foreign agent subsystem (column 6, lines 65-67; see 16, Fig. 2) for communication via an internetwork (20, Fig. 2) with the mobile virtual private network

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tunneling protocol server(column 7, lines 3-9; see 30, Fig. 2) and for communication via the wireless link (over the air connection between block 10 and visited network of Fig. 4 corresponds to the claimed wireless link) with the mobile virtual private network tunneling protocol client (column 6, lines 37-42 ; 12, Fig. 2) of the mobile wireless mobile system to establish a mobile virtual private network tunneling protocol tunnel between the mobile virtual private network tunneling protocol server of the home network (column 7, lines 3-9; see 30, Fig. 2), so as to enable communication between the mobile wireless system and the home network(26, Fig. 2) via the wireless link and via an inter network when the mobile wireless system is at a location remote from the home network (column 6, lines 65-67).

2. Claims 3-21 are allowable.

The following is a statement of reasons for the indication of allowable subject matter: As to claims 3-20, the prior art of record does not teach (a) a tunnel server which provides for tunneling service via an inter network, and has a global address for identifying a first end point of a tunnel provided by the tunneling service; (b) a mobile wireless system for communicating via a wireless link, and having a mobile virtual tunneling protocol client which has access to the global address for the first end point so as to enable communication with the tunnel server, the mobile wireless system being capable of being transported to a location remote from the first end point.

Claim 21 are allowable. The following is a statement of reasons for the indication of allowable subject matter: As to claims 3-20, the prior art of record does not teach a mobile virtual tunneling protocol server which provides for a tunneling service via an

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inter network, and has a global address for identifying a first end point of a tunnel provided by the tunneling service; (b) a mobile wireless system for communicating via a wireless link, and having a mobile virtual tunneling protocol client which has access to the global address for the first end point so as to enable communication with the mobile virtual tunneling protocol server, the mobile wireless system being capable of being transported to a location separated from the first end point by an inter network..

Conclusion


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (703) 308-9554. The examiner can normally be reached on M-F from 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (703) 305-4378. The fax number is (703) 872-9306. Any inquiry of a general nature, or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-4750.

Alexander Boakye

Patent Examiner

6/03/04


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 6/7/04